Rao Sahib K. Achyuta Menon *(Secretary to Government):* I move that the Bill may be taken up for consideration.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Mr. C. V. Iyyu *(Kunnamkulam):* After discussion with the Hon'ble Member for Anthikad, whose scheme practically it is, I have come to the conclusion that I should withdraw my following amendment.—

Clause 2—Between the words "cess" and "as" in the proviso proposed to be brought in as amendment to section 20 insert the following, "so as to ensure to Government a return of not more than 2 per cent on the capital outlay".

Clause 2 put and carried

Clause 1, Title and Preamble put and carried

Rao Sahib K. Achyuta Menon *(Secretary to Government):* I request that the Bill may be taken up and finally passed day after tomorrow.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put carried

The House adjourned for lunch at 1 p.m., and re-assembled at 2-30 p.m. with M. R. Ry. K. Ayyappan Avl., Deputy President, in the Chair.

RESOLUTIONS

Resolution No. 6—*(cont.)*

II. Strict enforcement of the provisions of the Cattle Trespass Act

Mr. A. Madhava Prabhu *(Diwan Peishkar):* The resolution is simply this: *This Council recommends to the Government that steps may be taken to enforce quickly the provisions of the Cattle Trespass Act*".

When an Act is brought into force, I do not think there is any necessity to wake up the Government and say that the provisions of the Act should be strictly enforced. I cannot really understand the significance of a motion of this type.

Mr. T. K. Nayar *(Pazhayannur):* There was an amendment that was not allowed yesterday.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* The discussion was mainly on account of the amendment, not on account of the motion. Therefore I said we cannot accept that amendment at this

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stage. The notice given was too short. There was absolutely no necessity of entering upon this question at all.

Mr. T. K Nayar *(Pazhayannur)*: So the whole discussion yesterday was irrelevant.

Mr. A. Madhava Prabhu *(Diwan Peishkar)*: Practically so. The mover was saying that the powers we have got under the Act are not sufficient and we are not strictly enforcing it. So far as the powers under the Act are concerned, you will find that section 10 gives the required right to any cultivator or occupier of any land. It says.— "The Cultivator or occupier of any land, or any person who has advanced cash for the cultivation of the crop or produce on any land, or the vendee or mortgagee of such crop or produce or any part thereof, may seize or cause to be seized, any cattle trespassing on such land and doing damage thereto, or to any crop or produce thereon, and send them or cause them to be sent, within 24 hours to the pound established for the village in which the land is situate. All officers of police shall when required, aid in preventing (a) resistance to such seizures and (b) rescues from persons making such seizures". These are the only possible powers that can be given to ordinary people and officers of the Government to prevent cattle from trespassing in private lands. We have got these powers. If the trespass really takes place, we have got the next section dealing with the fines to be imposed in such cases. We have got other powers also given in section 24 with reference to persons who oppose such seizure either by private individuals or police officers. They can be fined or convicted up to six months' imprisonment. These are the main powers. This is an Act passed in 1071 and it applies to the whole State. Till now it has been worked without any complaint from anybody. No complaint has been received from any particular part of the State saying that this Act is not being enforced. This resolution therefore came to me practically as a surprise. I did not really understand what was the object of sending in this resolution. There is nothing to oppose in this resolution. As it is we accept this resolution.

Mr. V. J. Mathai *(Planters)*: I have always taken it that the Legislative Council exists for bringing forward certain questions before the House and that the Government members will as far as possible help the non-officials in putting forward their views and redressing their grievances. I found out rather late that the resolution as it is was not effective enough. Therefore I sent an amendment yesterday with short notice to the effect that such cases might be made cognisable. The Hon'ble the Diwan Peishkar opposed it, but all the same he allowed the discussion to go through the full extent. I moved the amendment, but the Chair did not allow it since the Government members opposed it.

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Mr. K. Ayyappan *(Ezhuvas-Kanayannur):* As the Government members were opposed to it, for they had not sufficient notice, the question was disallowed.

Mr. V. J. Mathai *(Planters):* The Government members were opposed to it and the Deputy President was pleased to disallow it, and very rightly too, and so I did not press it with vigour. But the point remains that we discussed it. The Hon'ble Diwan Peishkar with his habits of arguing cases, wants to split words. It is hair-splitting. Therefore, because he takes objection to the wording of the resolution, in the hope that I shall bring in the resolution on the floor of this House at a later time, I beg leave of the House to withdraw it.

Resolution, by leave, withdrawn

RESOLUTION No. 12

Grant of dearness allowance

*മിസ്റ്റർ കെ. ആർ. വിശ്വംഭരൻ: *"*This Council recommends to the Government to grant to all Government servants and aided teachers with a monthly pay of Rs. 20 and below a dearness allowance up to Rs. 5 per mensem*". സർ; ഈ പ്രമേയത്തെ സംബന്ധിച്ചു് ദീഘ്മായ ഒരു പ്രസംഗത്തിന്റെ ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. യുദ്ധാനന്തരം മറ്റു നാടുകളിലെന്നപോലെ ഇവിടേയും ഉണ്ടായിട്ടുള്ള പ്രത്യേക സാഹചര്യങ്ങളാൽ ജനങ്ങളുടെ ജീവിതാവശ്യം നിവ്വഹിക്കുന്നതിനു് മുൻകാലങ്ങളെ അപേക്ഷിച്ചു് അധികസംഖ്യകം ആവശ്യമായി വന്നിരിക്കുന്നു എന്നുള്ളതു് ഇപ്പോൾ ഗവമ്മെണ്ടുതന്നെ സമ്മതിക്കുമെന്നാണു് എന്റെ വിശ്വാസം. കുറഞ്ഞ ശമ്പളം വാങ്ങുന്ന ഉദ്യോഗസ്ഥന്മാക്കാണു് വാസ്തവത്തിൽ ജീവിതസാധനങ്ങളം വാങ്ങുന്നതിനും മറ്റുമായി വലിയ ബുദ്ധിമുട്ടുകളം അനുഭവിക്കേണ്ടിവരുന്നതു്. അവക്കു ലക്ഷപ്രീസു് ആവശ്യമില്ലെങ്കിലും ജീവനും ദേഹവും ഒന്നിച്ചു് നിത്തുന്നതിനുവേണ്ടിയുള്ള കൂടുതൽ വേതനങ്ങളം ഈ അവസരത്തിൽ അനുവദിച്ചുകൊടുക്കേണ്ടതു് ഗവമ്മെണ്ടിന്റെ കത്തവ്യമാകുന്നു. ഇതിയിടെ ൨൪ ക. യിൽ കുറഞ്ഞ ശമ്പളമുള്ള ഉദ്യോഗങ്ങളം വഹിക്കുന്നവക്കു പ്രതിമാസം ഒരുറുപ്പിക കൂടുതൽ അലവൻസു അനുവദിച്ചുകൊണ്ടുള്ള ഗവമ്മെണ്ടുത്തരവു് പുറപ്പെട്ടിട്ടുള്ളതായി ഈ കൌൺസിലിന്റെ ശ്രദ്ധയിൽ പെട്ടിരിക്കുവാനിടയുള്ളതാണു്. അതു തീരെ പരിമിതമായ ഒരു വേതനം മാത്രമാണെന്നാണു് എനിക്കു് ഈ സഭയെ ഉൽബോധിപ്പിക്കുവാനുള്ളതു്. അരി മുതലായ, ജീവിതാവശ്യത്തിനു് അത്യന്താപേക്ഷിതമായ സാധനങ്ങളുടെ വില ക്രമാതീതമായി വർദ്ധിച്ചുവരികയാണു് ചെയ്യുന്നതു്. അതുപോലെതന്നെ നിത്യോപയോഗമുള്ള വസ്തുങ്ങൾക്കും വില കൂടിവരുന്നു. ഈയവസരത്തിൽ ദീഘ്മായ ഒരു പ്രസംഗത്തിന്റെ ആവശ്യംകൂടാതെതന്നെ ഈ പ്രമേയം സ്വീകരിക്കുവാനുള്ള പരിതസ്ഥിതികളം ഈ രാജ്യത്തുണ്ടെന്നുള്ളതു് എല്ലാവരും സമ്മതിക്കുന്നതാണു്. അഞ്ചുരൂപ കൂടുതൽ ഡിയർനസ്സു് അലവൻസ്സു് കൊടുക്കണമെന്നാണു് ഞാൻ ഈ പ്രമേയംമൂലം ആവശ്യപ്പെട്ടിരിക്കുന്നതു്. ഞാൻ മുമ്പു പറഞ്ഞതുപോലെ ഒരു രൂപ തീരെ പോരാത്തതാണു്. ഡിയർനസ്സു് അല

*Speech not corrected by the hon'ble member.

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